

UNITED STATES
SECURITIESANDEXCHANGECOMMISSION
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## ANNUAL AUDITED REPORT FORM X-17A-5 PART III

# FACING PAGE Information Required of Brokers and Dealers Pursuant to Section 17 of the Securities Exchange Act of 1934 and Rule 17a-5 Thereunder

REPORT FOR THE PERIOD BEGIN	NING <u>01/01/10</u> MM/DD/YY	AND ENDING	12/31/10 MM/DD/YY
	· · · · · · · · · · · · · · · · · · ·		141141100711
	A. REGISTRANT IDE	ENTIFICATION	
NAME OF BROKER-DEALER: Sie	mer & Associates, LLC		OFFICIAL USE ONLY
ADDRESS OF PRINCIPAL PLACE C	OF BUSINESS: (Do not use P.O.	Box No.)	FIRM I.D. NO.
1333 2 <sup>nd</sup> Street, Suite 600	(No. and Street)	:	
Santa Monica	(No. and Street)	*	90401
(City)	(State)	······································	(Zip Code)
NAME AND TELEPHONE NUMBER David Siemer	R OF PERSON TO CONTACT I 310-861-2100	N REGARD TO THIS REP	ORT
		(/	Area Code – Telephone Number)
· · · · · · · · · · · · · · · · · · ·	B. ACCOUNTANT IDI	ENTIFICATION	
INDEPENDENT PUBLIC ACCOUNT	ANT whose opinion is contained	d in this Report*	
	(Name – if individual, state last, j	first. middle name)	
18425 Burbank Blvd., Suite 606	Tarzana	CA	91356
(Address)	(City)	(State)	(Zip Code)
CHECK ONE:			
☑ Certified Public Acco	ountant		
☐ Public Accountant			
☐ Accountant not reside	nt in United States or any of its	oossessions.	
	FOR OFFICIAL US	SE ONLY	

\*Claims for exemption from the requirement that the annual report be covered by the opinion of an independent public accountant must be supported by a statement of facts and circumstances relied on as the basis for the exemption. See Section 240.17a-5(e)(2)

Potential persons who are to respond to the collection of information contained in this form are not required to respond unless the form displays a currently valid OMB control number.

SEC 1410 (06-02)

## OATH OR AFFIRMATION

I,	David Siemer	, swear (or affirm) that, to the best of my knowledge and belie
the accomp	panying financial statement and supporting schedu	iles pertaining to the firm of
	Siemer & Associates	, as
of	December 31,	, 2010, are true and correct. I further swear (or
	t neither the company nor any partner, proprietor, colely as that of a customer, except as follows:	principal officer or director has any proprietary interest in any account
		Signature
		President
Kel	Molary Public	Title
(a) Fac	** contains (check all applicable boxes): cing Page. ttement of Financial Condition.	
(c) Sta	tement of Income (Loss).	
⋈ (e) Sta	tement of Changes in Financial Condition. tement of Changes in Stockholders' Equity or Part	
	tement of Changes in Liabilities Subordinated to C mputation of Net Capital.	Claims of Creditors.
	mputation for Determination of Reserve Requirem formation Relating to the Possession or Control Re	
□ (j) A I		of the Computation of Net Capital Under Rule 15c3-1 and the
図 (k) A F		Statements of Financial Condition with respect to methods of
🛛 (l) An	Oath or Affirmation.	
	copy of the SIPC Supplemental Report. report describing any material inadequacies found	to exist or found to have existed since the date of the previous audit.
**For cond	litions of confidential treatment of certain portions	s of this filing, see section 240.17a-5(e)(3).
	Subscribed and spen to jor differently of	KELLY CHARPENET COMM. 1817749 NOTARY PUBLIC CALIFORNA LOS ANGELES COUNTY  M. COMM. 1817749
- -	ciano ma carilla de Santa Sant	My Comm. Expires Oct. 14, 2012

18425 Burbank Blvd., Suite 606, Tarzana, CA 91356 · Tel. (818) 401-8800 · Fax (818) 401-8818

#### REPORT OF INDEPENDENT REGISTERED PUBLIC ACCOUNTANT

Board of Members Siemer & Associates, LLC Santa Monica, California

I have audited the accompanying statement of financial condition of Siemer & Associates, LLC, as of December 31, 2010 and the related statements of operations, changes in members' equity, and cash flows for the year then ended that you are filing pursuant to Rule 17a-5 under the Securities Exchange Act of 1934. These financial statements are the responsibility of the Company's management. My responsibility is to express an opinion on these financial statements based on my audit.

I conducted my audit in accordance with auditing standards of the Public Company Accounting Oversight Board (United States). Those standards require that I plan and perform the audit to obtain reasonable assurance about whether the financial statements are free of material misstatements. An audit includes examining on a test basis, evidence supporting the amounts and disclosures in the financial statements. An audit also includes assessing the accounting principles used and significant estimates made by management, as well as evaluating the overall financial statement presentation. I believe that my audit provides a reasonable basis for my opinion.

In my opinion, the financial statements referred to above present fairly, in all material respects, the financial position of Siemer & Associates, LLC, as of December 31, 2010 and the results of its operations and cash flows for the year then ended in conformity with accounting principles generally accepted in the United States of America.

My audit was conducted for the purpose of forming an opinion on the basic financial statements taken as a whole. The information contained on Schedule I-III is presented for purposes of additional analysis and is not required as part of the basic financial statements, but is supplementary information required by Rule 17a-5 of the Securities and Exchange Act of 1934. Such information has been subject to the auditing procedures applied in my audit of the basic financial statements and, in my opinion, is fairly stated in all material respect in relating to the basic financial statements taken as a whole.

This opinion is intended solely for the information and use of the board of directors, the Securities and Exchange Commission, and other regulatory agencies which rely on Rule 17a 5(g) under the Securities Exchange Act of 1934 in their regulation of registered brokers and dealers, and is not intended to be and should not be used by anyone other than these specified parties.

Brian W. Anson

Certified Public Accountant

Tarzana, California February 11, 2011

## Statement of Financial Condition December 31, 2010

#### **ASSETS**

Cash	\$ 71,775
Fixed assets, net of accumulated depreciation	
of \$ 21,601	152,363
Due from member	12,949
Total assets	\$ 237,087
LIABILITIES AND MEMBERS' EQUITY	
LIABILITIES:	
Accounts payable	\$ 17,109
Total liabilities	17,109
MEMBERS' EQUITY:	
Members' equity	219,978
Total members' equity	 219,978
Total liabilities and members' equity	\$ 237,087

## Statement of Income For the year ended December 31, 2010

## **REVENUES:**

Income Miscellaneous income Total income	\$ 316,791 1,500 318,291
EXPENSES:	
Professional fees Travel and entertainment Office expense Salaries and wages Occupancy Other general and administrative expenses Total expenses	55,455 147,627 95,036 1,149,156 198,119 246,283 1,891,676
LOSS BEFORE INCOME TAXES	(1,573,385)
INCOME TAX PROVISION (Note 3)	
Income tax expense	800
NET LOSS	\$ (1,574,185)

## Statement of Changes in Members' Equity For the year ended December 31, 2010

		Beginning Members' Equity	Capital Contributions	Total Members' Equity	
Beginning balance January 1, 2010	\$	118,815	\$ -	\$ 118,815	
Capital contributions			1,675,348	1,675,348	
Net loss		(1,574,185)	-	(1,574,185)	
Ending balance December 31, 2010	\$	(1,455,370)	\$ 1,675,348	\$ 219,978	

## Statement of Cash Flows For the year ended December 31, 2010

## CASH FLOW FROM OPERATING ACTIVITIES

Adjustments to reconcile net loss to net cash used in operating activities:  Depreciation 21,601  (Increase) decrease in:  Accounts receivable 4,493 Other assets (5,044) Increase (decrease) in:  Accounts payable 17,109 Total adjustments 38,159  Net cash used in operating activities \$(1,536,026)  CASH FLOWS FROM INVESTING ACTIVITIES Purchase of fixed assets (104,530) Net cash used in investing activities (104,530)  CASH FLOWS FROM INVESTING ACTIVITIES Purchase of fixed assets (104,530)  CASH FLOWS FROM INVESTING ACTIVITIES Capital contributions 1,675,348  Increase in cash 34,792  Cash at beginning of year 36,983  Cash at end of period \$71,775  Supplement cash flow disclosures Interest \$ - Increase in cash \$ - Incre	Net loss	\$(1,	574,185)
Depreciation   21,601	Adjustments to reconcile net loss to net cash		
(Increase) decrease in:       4,493         Accounts receivable       4,493         Other assets       (5,044)         Increase (decrease) in:       17,109         Accounts payable       17,109         Total adjustments       38,159         Net cash used in operating activities       \$(1,536,026)         CASH FLOWS FROM INVESTING ACTIVITIES         Purchase of fixed assets         Net cash used in investing activities         (104,530)         CASH FLOWS FROM INVESTING ACTIVITIES         Capital contributions         Net cash provided by financing activities         1,675,348         Increase in cash         Cash at beginning of year         36,983         Cash at end of period         \$ 71,775          Supplement cash flow disclosures         Interest       \$ -	used in operating activities:		
Accounts receivable         4,493           Other assets         (5,044)           Increase (decrease) in:         38,159           Accounts payable         17,109           Total adjustments         38,159           Net cash used in operating activities         \$(1,536,026)           CASH FLOWS FROM INVESTING ACTIVITIES	Depreciation		21,601
Other assets         (5,044)           Increase (decrease) in:         3,09           Accounts payable         17,109           Total adjustments         38,159           Net cash used in operating activities         \$(1,536,026)           CASH FLOWS FROM INVESTING ACTIVITIES	(Increase) decrease in:		
Increase (decrease) in:   Accounts payable	Accounts receivable		4,493
Accounts payable         17,109           Total adjustments         38,159           Net cash used in operating activities         \$(1,536,026)           CASH FLOWS FROM INVESTING ACTIVITIES	Other as sets		(5,044)
Net cash used in operating activities  CASH FLOWS FROM INVESTING ACTIVITIES Purchase of fixed assets Purchase of fixed assets Purchase of fixed assets (104,530) Net cash used in investing activities  CASH FLOWS FROM INVESTING ACTIVITIES Capital contributions Net cash provided by financing activities  Increase in cash Cash at beginning of year  Cash at end of period  \$71,775  Supplement cash flow disclosures Interest  \$	Increase (decrease) in:		
Net cash used in operating activities \$\\$(1,536,026)\$  CASH FLOWS FROM INVESTING ACTIVITIES Purchase of fixed assets (104,530) Net cash used in investing activities (104,530)  CASH FLOWS FROM INVESTING ACTIVITIES Capital contributions 1,675,348 Net cash provided by financing activities 1,675,348  Increase in cash 34,792  Cash at beginning of year 36,983  Cash at end of period \$\frac{\tau}{\tau}\]  Supplement cash flow disclosures  Interest \$\tau\$	Accounts payable		
CASH FLOWS FROM INVESTING ACTIVITIES Purchase of fixed assets (104,530) Net cash used in investing activities (104,530)  CASH FLOWS FROM INVESTING ACTIVITIES Capital contributions 1,675,348 Net cash provided by financing activities 1,675,348  Increase in cash 34,792  Cash at beginning of year 36,983  Cash at end of period \$71,775  Supplement cash flow disclosures Interest \$-	Total adjustments		38,159
Purchase of fixed assets (104,530) Net cash used in investing activities (104,530)  CASH FLOWS FROM INVESTING ACTIVITIES Capital contributions 1,675,348 Net cash provided by financing activities 1,675,348  Increase in cash 34,792  Cash at beginning of year 36,983  Cash at end of period \$71,775  Supplement cash flow disclosures  Interest \$-	Net cash used in operating activities	\$(1,	536,026)
Purchase of fixed assets (104,530) Net cash used in investing activities (104,530)  CASH FLOWS FROM INVESTING ACTIVITIES Capital contributions 1,675,348 Net cash provided by financing activities 1,675,348  Increase in cash 34,792  Cash at beginning of year 36,983  Cash at end of period \$71,775  Supplement cash flow disclosures  Interest \$-	CASH FLOWS FROM INVESTING ACTIVITIES		
Net cash used in investing activities (104,530)  CASH FLOWS FROM INVESTING ACTIVITIES Capital contributions 1,675,348 Net cash provided by financing activities 1,675,348  Increase in cash 34,792  Cash at beginning of year 36,983  Cash at end of period \$71,775  Supplement cash flow disclosures  Interest \$ -		(	104,530)
Capital contributions Net cash provided by financing activities  Increase in cash Cash at beginning of year Cash at end of period  Supplement cash flow disclosures  Interest  Supplement cash flow disclosures			
Capital contributions Net cash provided by financing activities  Increase in cash Cash at beginning of year Cash at end of period  Supplement cash flow disclosures Interest  Supplement \$	CACHELOWICEDOMINIZECTING ACTIVITIES		
Net cash provided by financing activities  1,675,348  Increase in cash  Cash at beginning of year  Cash at end of period  Supplement cash flow disclosures  Interest  \$ -		1	675 348
Increase in cash  Cash at beginning of year  Cash at end of period  Supplement cash flow disclosures  Interest  \$ -	•		
Cash at beginning of year 36,983  Cash at end of period \$ 71,775  Supplement cash flow disclosures  Interest \$ -	Not cash provided by mianoring activities		075,510
Cash at end of period \$\frac{\\$71,775}{\$}\$  Supplement cash flow disclosures  Interest \$\$-\$	Increase in cash		34,792
Supplement cash flow disclosures  Interest \$ -	Cash at beginning of year		36,983
Interest \$ -	Cash at end of period	\$	71,775
	Supplement cash flow disclosures		
	Interest	\$	_
			800

### SIEMER & ASSOCIATES, LLC Notes to Financial Statements For the year ended December 31, 2010

#### Note 1: GENERAL AND SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

#### General

Siemer & Associates, LLC, (the "Company"), was formed in November, 2008, in the State of California as a corporation. The Company is registered as a broker-dealer with the Securities and Exchange Commission ("SEC") and is a member of the Financial Industry Regulatory Authority ("FINRA") and Securities Investor Protection Corporation ("SIPC"). The Company is authorized to engage in private placements of securities and merger and acquisition advisory services. The Company does not hold customer funds or safeguard customer securities.

#### Summary of Significant Accounting Policies

The presentation of financial statements in conformity with accounting principles generally accepted in the United States of America requires management to make estimates and assumptions that affect the reported amounts of assets and liabilities and disclosure of contingent assets and liabilities at the date of the financial statements and the reported amounts of revenue and expenses during the reporting period. Actual results could differ from those estimates.

For purposes relating to the statement of cash flows, the Company considers all highly liquid debt instruments purchased with a maturity of three months or less to be cash equivalents. The Company also includes money markets as cash equivalents.

Property and equipment are stated at cost. Repairs and maintenance to these assets are charged to expense as incurred; major improvements enhancing the function and/or useful1ife are capitalized. When items are sold or retired, the related cost and accumulated depreciation are removed from the accounts and any gains or losses arising from such transactions are recognized. Property and equipment are depreciated over their estimated useful lives of five (5) to forty (40) years by the straight-line method.

The Company adopted SFAS No. 130, "Reporting Comprehensive Income," which requires that an enterprise report, by major components and as a single total, the changes in equity. There were no other comprehensive income items for the year ended December 31, 2010.

The Company, with the consent of its Members, has elected to be a Limited Liability Company. For tax purposes, the Company is treated like a partnership, therefore in lieu of business income taxes, the Members are taxed on the Company's taxable income. Accordingly, no provision or liability for Federal Income Taxes is included in these financial statements. The Stale of California has similar treatment, although there exists a provision for a minimum Franchise Tax of \$800 plus a fee based upon gross receipts.

## SIEMER & ASSOCIATES, LLC Notes to Financial Statements For the year ended December 31, 2010

## Note 1: <u>GENERAL AND SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES</u> (Continued)

The Company's investments in marketable equity and debt securities are classified as "available for sale." Available for sale securities are recorded at fair value in investments, at estimated fair value on the balance sheet, with the change in fair value during the period excluded from earnings and recorded net of tax as a component of other comprehensive income. Marketable securities are valued at market value. Securities not readily marketable are estimated by management, to approximate fair value, based on the financial information provided by independent fund managers. If pertinent information regarding not readily marketable securities is unavailable, management values these securities at cost.

Accounting principles generally require that recognized revenue, expense, gains and losses be included in net income. Although certain changes in assets and liabilities, such as unrealized gains and loses on available for sale securities, are reported as a separate component of the equity section of the balance sheet, such items, along with net income, are components of comprehensive income.

#### Note 2: PROPERTY AND EQUIPMENT, NET

Property and equipment are recorded at cost and summarized by major classifications as follows:

Computer software	\$ 59,486
Computer hardware	47,924
Furniture and equipment	<u>66,554</u>
	163,964
Less accumulated depreciation	(11,601)
Fixed assets, net	\$ 152,363
	· <del></del>

For the year ended December 31, 2010, depreciation expense was \$11,601.

### SIEMER & ASSOCIATES, LLC Notes to Financial Statements For the year ended December 31, 2010

#### Note 3: <u>INCOME TAXES</u>

The Company is subject to a limited liability company gross receipts fee and a minimum franchise tax of \$800. At December 31, 2010, the Company was only subject to the minimum limited liability company income tax or \$800.

#### Note 4: COMMITMENTS AND CONTINGENCIES

The Company has two operating leases covering its offices through October 31, 2012. Minimum future rental commitments are:

Year Ending	<u>Amount</u>
November 30, 2011	223,557
November 30, 2012	194,362

#### Note 5: NET CAPITAL

The Company is subject to the Securities and Exchange Commission Uniform Net Capital Rule (SEC rule 15c3-1), which requires the maintenance of minimum net capital and requires that the ratio of aggregate indebtedness to net capital, both as defined, shall not exceed 8 to 1. Net capital and aggregate indebtedness change day to day, but on December 31, 2010 the Company had net capital of \$54,666, which was \$49,666 in excess of its required net capital of \$5,000; and the Company's ratio of aggregate indebtedness (\$17,109) to net capital was 0.31 to 1, which is less than the 8 to 1 maximum ratio allowed for a broker dealer.

## Statement of Net Capital Schedule I For the year ended December 31, 2010

	Focus	s 12/31/10	Audit	12/31/10	 Change
Members' equity, December 31, 2010	\$	219,978	\$	219,978	\$ -
Subtract - Non allowable assets: Fixed assets Other assets		152,363 12,949		152,363 12,949	-
Tentative net capital	<u></u>	54,666		54,666	 
Haircuts		0		0	. <del>-</del>
NET CAPITAL		54,666		54,666	 -
Minimum net capital		5,000		5,000	-
Excess net capital	\$	49,666	\$	49,666	 ~
Aggregate indebtedness		17,109		17,109	-
Ratio of aggregate indebtedness to net capital		0.31%		0.31%	

There were no reported differences between the audit and Focus filed at December 31, 2010.

Schedule II
Determination of Reserve Requirements
Under Rule 15c3-3 of the Securities and Exchange Commission
December 31, 2010

The Company is exempt from the Reserve Requirement of computation according to the provision of Rule 15c3-3(k)(2)(i).

Schedule III
Information Relating to Possession or Control
Requirements Under Rule 15c3-3
December 31, 2010

The Company is exempt from the Rule 15c3-3 as it relates to possession and Control requirements under the (k)(2)(i) exemptive provision.

#### **BRIAN W. ANSON**

Certified Public Accountant

18425 Burbank Blvd., Suite 606, Tarzana, CA 91356 • (818) 401-8800

REPORT OF INDEPENDENT REGISTERED PUBLIC ACCOUNTANT ON INTERNAL CONTROL STRUCTURE REQUIRED BY SEC RULE 17A-5

Board of Members Siemer & Associates, LLC Santa Monica, California

In planning and performing my audit of the financial statements of Siemer & Associates, LLC, for the year ended December 31, 2010 in accordance with auditing standards generally accepted in the United States of America, I considered its internal control structure, including control activities for safeguarding securities, in order to determine my auditing procedures for the purpose of expressing my opinion on the financial statements and not to provide assurance on the internal control structure. Accordingly, I do not express an opinion on the effectiveness of the Company's internal control.

Also, as required by Rule 17a-5(g)(1) of the Securities and Exchange Commission, I have made a study of the practices and procedures including tests of compliance with such practices and procedures followed Siemer & Associates, LLC, including test of compliance with such practices and procedures that I considered relevant to objectives stated in Rule 17a-5(g), (1) in making the periodic computations of aggregate indebtedness (or aggregate debits) and net capital under Rule 17a-3(a)(11) and the reserve required by Rule 15c3-3(e). I did not review the practices and procedures followed by the Company (i) in making the quarterly securities examinations, counts, verifications and comparisons, and the recordation of differences required by Rule 17a-13, or (ii) in complying with the requirements for prompt payment for securities of Section 8 of Regulation T of the Board of Governors of the Federal Reserve System, because the Company does not carry security accounts for customers or perform custodial functions relating to customer securities.

The management of the Company is responsible for establishing and maintaining an internal control and the practices and procedures referred to in the preceding paragraph. In fulfilling this responsibility, estimates and judgments by management are required to assess the expected benefits and related costs of internal control structure policies and procedures and of the practices and procedures referred to in the proceeding paragraph and to assess whether those practices and procedures can be expected to achieve the Commission's above mentioned objectives. Two of the objectives of internal control and the practices and procedures are to provide management with reasonable, but not absolute, assurance that assets for which the Company has responsibility are safeguarded against loss from unauthorized use or disposition and that transactions are executed in accordance with management's authorization and recorded properly to permit preparation of financial statements in conformity with generally accepted accounting principles.

Board of Members Siemer & Associates, LLC Page Two

Because of inherent limitations in internal control or the practices and procedures referred to above, errors or fraud may occur and not be detected. Also, projection of any evaluation of them to future periods is subject to the risk they may become inadequate because of changes in conditions or that the effectiveness of their design and operation may deteriorate.

My consideration of the internal control structure would not necessarily disclose all matters in the internal control that might be material weakness under standards established by the American Institute of Certified Public Accountants and the Public Company Accounting Oversight Board (United States). A material weakness is a condition in which the design or operation of the specific internal control structure components does not reduce to a relatively low level the risk that error or fraud in amounts that would be material in relation to the financial statements being audited may occur and not be detected within a timely period by employees in the normal course of performing their assigned functions. However, I noted no matters involving the internal control structure, including control activities for safeguarding securities, which I consider to be material weakness as defined above. In addition, my consideration of the internal control structure indicated that the Company was in compliance with the conditions of the exemption under Paragraph (k) (2) (i) of Rule 15c3-3, and no facts came to my attention indicating that such conditions had not been complied with during the period. The scope of my engagement did not include the Anti Money Laundering provision of the U.S. Patriot Act.

I understand that practices and procedures that accomplish the objectives referred to in the second paragraph of this report are considered by the Commission to be adequate for its purpose in accordance with the Securities Exchange Act of 1934 and related regulations, and that practices and procedures that do not accomplish such objectives in all material respects indicate material inadequacy for such purposes. Based on this understanding and on my study, I believe that the Company's practices and procedures were adequate at December 31, 2010 to meet the Commission's objectives.

This report is intended solely for the information and use of the board of directors, the Securities and Exchange Commission, and other regulatory agencies which rely on Rule 17a-5(g) under the Securities Exchange Act of 1934 in their regulation of registered brokers and dealers, and is not intended to be and should not be used by anyone other than these specified parties.

Brian W. Anson

Certified Public Accountant

Tarzana, California February 11 2011